

1 **NURSING AMENDMENTS**

2 2007 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Peter C. Knudson**

5 House Sponsor: Bradley G. Last

6

7 **LONG TITLE**

8 **General Description:**

9 This bill amends the Nurse Practice Act, the Advanced Practice Registered Nurse
10 Compact, and the Nurse Midwife Practice Act.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ removes the definition of "practice of nurse anesthesia";
- 14 ▶ removes the license classification of certified registered nurse anesthesia;
- 15 ▶ creates the license classification of advanced practice registered nurse - without
16 prescriptive authority;
- 17 ▶ changes the license category for licensed nurse anesthetist with certain levels of
18 training by July 1, 2007 to advanced practice registered nurses;
- 19 ▶ changes the license category of nurse anesthetists who have not obtained certain
20 training levels by July 1, 2007 to "APRN - without prescriptive practice";
- 21 ▶ makes technical amendments necessary to remove references to licensed nurse
22 anesthetists;
- 23 ▶ adds certified nurse midwives to the list of APRN subject to the Advanced Practice
24 Registered Nurse Compact; and
- 25 ▶ beginning July 2010, amends the qualifications for licensure as a nurse midwife.

26 **Monies Appropriated in this Bill:**

27 None



28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **58-31b-102**, as last amended by Chapter 291, Laws of Utah 2006

33 **58-31b-301**, as last amended by Chapter 291, Laws of Utah 2006

34 **58-31b-302**, as last amended by Chapter 291, Laws of Utah 2006

35 **58-31b-305**, as last amended by Chapter 291, Laws of Utah 2006

36 **58-31d-103**, as last amended by Chapter 291, Laws of Utah 2006

37 **58-44a-302**, as last amended by Chapter 288, Laws of Utah 1998



39 *Be it enacted by the Legislature of the state of Utah:*

40 Section 1. Section **58-31b-102** is amended to read:

41 **58-31b-102. Definitions.**

42 In addition to the definitions in Section 58-1-102, as used in this chapter:

43 (1) "Administrative penalty" means a monetary fine imposed by the division for acts or
44 omissions determined to constitute unprofessional or unlawful conduct in accordance with a
45 fine schedule established by rule and as a result of an adjudicative proceeding conducted in
46 accordance with Title 63, Chapter 46b, Administrative Procedures Act.

47 (2) "Applicant" means a person who applies for licensure or certification under this
48 chapter by submitting a completed application for licensure or certification and the required
49 fees to the department.

50 (3) "Approved education program" means a nursing education program that meets the
51 minimum standards for educational programs established under this chapter and by division
52 rule in collaboration with the board.

53 (4) "Board" means the Board of Nursing created in Section 58-31b-201.

54 (5) "Consultation and referral plan" means a written plan jointly developed by an
55 advanced practice registered nurse and a consulting physician that permits the advanced
56 practice registered nurse to prescribe schedule II-III controlled substances in consultation with
57 the consulting physician.

58 (6) "Consulting physician" means a physician and surgeon or osteopathic physician and

59 surgeon licensed in accordance with this title who has agreed to consult with an advanced
60 practice registered nurse with a controlled substance license, a DEA registration number, and
61 who will be prescribing schedule II-III controlled substances.

62 (7) "Diagnosis" means the identification of and discrimination between physical and
63 psychosocial signs and symptoms essential to the effective execution and management of
64 health care.

65 (8) "Examinee" means a person who applies to take or does take any examination
66 required under this chapter for licensure.

67 (9) "Licensee" means a person who is licensed or certified under this chapter.

68 (10) "Long-term care facility" means any of the following facilities licensed by the
69 Department of Health pursuant to Title 26, Chapter 21, Health Care Facility Licensing and
70 Inspection Act:

71 (a) a nursing care facility;

72 (b) a small health care facility;

73 (c) an intermediate care facility for the mentally retarded;

74 (d) an assisted living facility Type I or II; or

75 (e) a designated swing bed unit in a general hospital.

76 (11) "Medication aide certified" means a certified nurse aide who:

77 (a) has a minimum of 2,000 hours experience working as a certified nurse aide;

78 (b) has received a minimum of 40 hours of classroom and 20 hours of practical training

79 that is approved by the division in collaboration with the board, in administering routine
80 medications to patients or residents of long-term care facilities; and

81 (c) is certified by the division as a medication aide certified.

82 (12) (a) "Practice as a medication aide certified" means the limited practice of nursing
83 under the supervision, as defined by the division by administrative rule, of a licensed nurse,
84 involving routine patient care that requires minimal or limited specialized or general
85 knowledge, judgment, and skill, to an individual who is ill, injured, infirm, developmentally or
86 physically disabled, mentally disabled, or mentally retarded, and who is in a regulated
87 long-term care facility.

88 (b) "Practice as a medication aide certified" includes:

89 (i) providing direct personal assistance or care; and

90 (ii) administering routine medications to patients in accordance with a formulary and
 91 protocols to be defined by the division by rule.

92 (13) "Practice of advanced practice registered nursing" means the practice of nursing
 93 within the generally recognized scope and standards of advanced practice registered nursing as
 94 defined by rule and consistent with professionally recognized preparation and education
 95 standards of an advanced practice registered nurse by a person licensed under this chapter as an
 96 advanced practice registered nurse. Advanced practice registered nursing includes:

97 (a) maintenance and promotion of health and prevention of disease;

98 (b) diagnosis, treatment, correction, consultation, and referral for common health
 99 problems; [~~and~~]

100 (c) prescription or administration of prescription drugs or devices including:

101 (i) local anesthesia;

102 (ii) schedule IV-V controlled substances; and

103 (iii) schedule II-III controlled substances in accordance with a consultation and referral

104 plan[-]; ~~§~~ → or ← ~~§~~

105 (d) the provision of preoperative, intraoperative, and postoperative anesthesia care and

106 related services ~~§~~ → upon the request of a licensed health care professional ← ~~§~~ by an advanced

106a practice registered nurse specializing as a certified registered

107 nurse anesthetist, including:

108 (i) preanesthesia preparation and evaluation including:

109 (A) performing a preanesthetic assessment of the patient;

110 (B) ordering and evaluating appropriate lab and other studies to determine the health of

111 the patient; and

112 (C) selecting, ordering, or administering appropriate medications;

113 (ii) anesthesia induction, maintenance, and emergence, including:

114 (A) selecting and initiating the planned anesthetic technique;

115 (B) selecting and administering anesthetics and adjunct drugs and fluids; and

116 (C) administering general, regional, and local anesthesia;

117 (iii) postanesthesia follow-up care, including:

118 (A) evaluating the patient's response to anesthesia and implementing corrective

119 actions; and

120 (B) selecting, ordering, or administering the medications and studies listed in

121 Subsection (13)(d); and

122 (iv) other related services within the scope of practice of a certified registered nurse
 123 anesthetist, including:

124 (A) emergency airway management;

125 (B) advanced cardiac life support; and

126 (C) the establishment of peripheral, central, and arterial invasive lines; and

127 ~~§→ [(e) nothing in this section shall be construed as to]~~ (iv) for purposes of Subsection
 127a (13)(d), "upon the request of a licensed health care professional":

127b (A) means a health care professional practicing within the scope of the health care
 127c professional's license, requests anesthesia services for a specific patient; and

127d (B) does not, ←§ require an advanced practice

128 registered nurse specializing as a certified registered nurse anesthetist to enter into a

129 consultation and referral plan or obtain §→ additional ←§ authority to §→ [prescribe in order to] ←§

129a select, administer, or

130 provide preoperative, intraoperative, or postoperative anesthesia care and services.

131 ~~[(14) (a) "Practice of nurse anesthesia" means the practice of nursing related to the~~
 132 ~~provision of preoperative, intraoperative, and postoperative anesthesia care and related services~~
 133 ~~upon the request of a physician, surgeon, or other licensed professional, who is acting within~~
 134 ~~the scope of their practice, by a person licensed under this chapter as a certified registered nurse~~
 135 ~~anesthetist and includes:]~~

136 ~~[(i) preanesthesia preparation and evaluation including:]~~

137 ~~[(A) performing a preanesthetic assessment of the patient;]~~

138 ~~[(B) ordering and evaluating appropriate lab and other studies to determine the health~~
 139 ~~of the patient; and]~~

140 ~~[(C) selecting, ordering, or administering appropriate medications;]~~

141 ~~[(ii) anesthesia induction, maintenance, and emergence, including:]~~

142 ~~[(A) selecting and initiating the planned anesthetic technique;]~~

143 ~~[(B) selecting and administering anesthetics and adjunct drugs and fluids; and]~~

144 ~~[(C) administering general, regional, and local anesthesia;]~~

145 ~~[(iii) postanesthesia follow-up care, including:]~~

146 ~~[(A) evaluating the patient's response to anesthesia and implementing corrective~~
 147 ~~actions; and]~~

148 ~~[(B) selecting, ordering, or administering the above medications and studies; and]~~

149 ~~[(iv) other related services within the scope of practice of a certified registered nurse~~
 150 ~~anesthetist, including:]~~

151 ~~[(A) emergency airway management;]~~

152 [~~(B)~~ advanced cardiac life support; and]

153 [~~(C)~~ the establishment of peripheral, central, and arterial invasive lines.]

154 [~~(b)~~ Nothing in this section shall be construed as to require a certified registered nurse
155 anesthetist to obtain an advance practice registered nurse license in order to select, administer,
156 or provide preoperative, intraoperative, or postoperative anesthesia care and services.]

157 [~~(15)~~] (14) "Practice of nursing" means assisting individuals or groups to maintain or
158 attain optimal health, implementing a strategy of care to accomplish defined goals and
159 evaluating responses to care and treatment. The practice of nursing requires substantial
160 specialized or general knowledge, judgment, and skill based upon principles of the biological,
161 physical, behavioral, and social sciences, and includes:

- 162 (a) initiating and maintaining comfort measures;
- 163 (b) promoting and supporting human functions and responses;
- 164 (c) establishing an environment conducive to well-being;
- 165 (d) providing health counseling and teaching;
- 166 (e) collaborating with health care professionals on aspects of the health care regimen;
- 167 (f) performing delegated procedures only within the education, knowledge, judgment,
168 and skill of the licensee; and

169 (g) delegating nurse interventions that may be performed by others and are not in
170 conflict with this chapter.

171 [~~(16)~~] (15) "Practice of practical nursing" means the performance of nursing acts in the
172 generally recognized scope of practice of licensed practical nurses as defined by rule and as
173 provided in this Subsection [~~(16)~~] (15) by a person licensed under this chapter as a licensed
174 practical nurse and under the direction of a registered nurse, licensed physician, or other
175 specified health care professional as defined by rule. Practical nursing acts include:

- 176 (a) contributing to the assessment of the health status of individuals and groups;
- 177 (b) participating in the development and modification of the strategy of care;
- 178 (c) implementing appropriate aspects of the strategy of care;
- 179 (d) maintaining safe and effective nursing care rendered to a patient directly or
180 indirectly; and
- 181 (e) participating in the evaluation of responses to interventions.

182 [~~(17)~~] (16) "Practice of registered nursing" means performing acts of nursing as

183 provided in this Subsection [~~(17)~~] (16) by a person licensed under this chapter as a registered
184 nurse within the generally recognized scope of practice of registered nurses as defined by rule.

185 Registered nursing acts include:

- 186 (a) assessing the health status of individuals and groups;
- 187 (b) identifying health care needs;
- 188 (c) establishing goals to meet identified health care needs;
- 189 (d) planning a strategy of care;
- 190 (e) prescribing nursing interventions to implement the strategy of care;
- 191 (f) implementing the strategy of care;
- 192 (g) maintaining safe and effective nursing care that is rendered to a patient directly or
193 indirectly;
- 194 (h) evaluating responses to interventions;
- 195 (i) teaching the theory and practice of nursing; and
- 196 (j) managing and supervising the practice of nursing.

197 [~~(18)~~] (17) "Routine medications":

198 (a) means established medications administered to a medically stable individual as
199 determined by a licensed health care practitioner or in consultation with a licensed medical
200 practitioner; and

201 (b) is limited to medications that are administered by the following routes:

- 202 (i) oral;
- 203 (ii) sublingual;
- 204 (iii) buccal;
- 205 (iv) eye;
- 206 (v) ear;
- 207 (vi) nasal;
- 208 (vii) rectal;
- 209 (viii) vaginal;
- 210 (ix) skin ointments, topical including patches and transdermal;
- 211 (x) gastronomy or jejunostomy tubes;
- 212 (xi) premeasured medication delivered by aerosol/nebulizer; and
- 213 (xii) medications delivered by metered hand-held inhalers.

214 ~~[(19)]~~ (18) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-31b-501.

215 ~~[(20)]~~ (19) "Unlicensed assistive personnel" means any unlicensed person, regardless
 216 of title, to whom tasks are delegated by a licensed nurse as permitted by rule and in accordance
 217 with the standards of the profession.

218 ~~[(21)]~~ (20) "Unprofessional conduct" is as defined in Sections 58-1-501 and
 219 58-31b-502 and as may be further defined by rule.

220 Section 2. Section **58-31b-301** is amended to read:

221 **58-31b-301. License or certification required -- Classifications.**

222 (1) A license is required to engage in the practice of nursing, except as specifically
 223 provided in Sections 58-1-307 and 58-31b-308.

224 (2) The division shall issue to a person who qualifies under this chapter a license or
 225 certification in the classification of:

- 226 (a) licensed practical nurse;
- 227 (b) registered nurse;
- 228 (c) advanced practice registered nurse intern;
- 229 (d) advanced practice registered nurse;

230 ~~[(e) certified registered nurse anesthetist; and]~~

231 ~~(e) §→ [advanced practice registered nurse - CRNA;~~

232 ~~— (f) ←§ advanced practice registered nurse - CRNA without prescriptive practice; and~~

233 ~~[(f)] §→ [(g)] (f) ←§ medication aide certified.~~

234 (3) An individual holding an advanced practice registered nurse license as of July 1,
 235 1998, who cannot document the successful completion of advanced course work in patient
 236 assessment, diagnosis and treatment, and pharmacotherapeutics, may not prescribe and shall be
 237 issued an "APRN - without prescriptive practice" license.

238 (4) The division shall grant an advanced practice registered nurse license to any
 239 licensed advanced practice registered nurse currently holding prescriptive authority under any
 240 predecessor act on July 1, 1998.

241 ~~(5) §→ [An individual holding a certified registered nurse anesthetist license as of July 1,~~
 242 ~~2007, who can document the successful completion of advanced course work in patient~~
 243 ~~assessment, diagnosis and treatment, and pharmacotherapeutics shall be issued an advanced~~
 244 ~~practice registered nurse - CRNA license.] ←§~~

245 ~~§~~ → [(6)] ← ~~§~~ An individual holding a certified registered nurse anesthetist license as of July 1,
 246 2007, ~~§~~ → [who cannot document the requirements of Subsection (5);] ← ~~§~~ shall be issued an "APRN
 247 CRNA - without prescriptive practice" license.

248 Section 3. Section **58-31b-302** is amended to read:

249 **58-31b-302. Qualifications for licensure or certification -- Criminal background**
 250 **checks.**

251 (1) An applicant for certification as a medication aide shall:

252 (a) submit an application to the division on a form prescribed by the division;

253 (b) pay a fee to the division as determined under Section 63-38-3.2;

254 (c) have a high school diploma or its equivalent;

255 (d) have a current certification as a nurse aide, in good standing, from the Department
 256 of Health;

257 (e) have a minimum of 2,000 hours of experience within the two years prior to
 258 application, working as a certified nurse aide in a long-term care facility;

259 (f) obtain letters of recommendation from a long-term care facility administrator and
 260 one licensed nurse familiar with the applicant's work practices as a certified nurse aide;

261 (g) be in a condition of physical and mental health that will permit the applicant to
 262 practice safely as a medication aide certified;

263 (h) have completed an approved education program or an equivalent as determined by
 264 the division in collaboration with the board;

265 (i) have passed the examinations as required by division rule made in collaboration
 266 with the board; and

267 (j) meet with the board, if requested, to determine the applicant's qualifications for
 268 certification.

269 (2) An applicant for licensure as a licensed practical nurse shall:

270 (a) submit to the division an application in a form prescribed by the division;

271 (b) pay to the division a fee determined under Section 63-38-3.2;

272 (c) have a high school diploma or its equivalent;

273 (d) be in a condition of physical and mental health that will permit the applicant to
 274 practice safely as a licensed practical nurse;

275 (e) have completed an approved practical nursing education program or an equivalent

276 as determined by the board;

277 (f) have passed the examinations as required by division rule made in collaboration
278 with the board; and

279 (g) meet with the board, if requested, to determine the applicant's qualifications for
280 licensure.

281 (3) An applicant for licensure as a registered nurse shall:

282 (a) submit to the division an application form prescribed by the division;

283 (b) pay to the division a fee determined under Section 63-38-3.2;

284 (c) have a high school diploma or its equivalent;

285 (d) be in a condition of physical and mental health that will allow the applicant to
286 practice safely as a registered nurse;

287 (e) have completed an approved registered nursing education program;

288 (f) have passed the examinations as required by division rule made in collaboration
289 with the board; and

290 (g) meet with the board, if requested, to determine the applicant's qualifications for
291 licensure.

292 (4) Applicants for licensure as an advanced practice registered nurse shall:

293 (a) submit to the division an application on a form prescribed by the division;

294 (b) pay to the division a fee determined under Section 63-38-3.2;

295 (c) be in a condition of physical and mental health which will allow the applicant to
296 practice safely as an advanced practice registered nurse;

297 (d) hold a current registered nurse license in good standing issued by the state or be
298 qualified at the time for licensure as a registered nurse;

299 (e) (i) have earned a graduate degree in:

300 (A) an advanced practice registered nurse nursing education program; or

301 (B) a related area of specialized knowledge as determined appropriate by the division
302 in collaboration with the board; or

303 (ii) have completed a nurse anesthesia program in accordance with Subsection

304 (4)(f)(ii);

305 (f) have completed:

306 (i) course work in patient assessment, diagnosis and treatment, and

307 pharmacotherapeutics from an education program approved by the division in collaboration
308 with the board; or

309 (ii) a nurse anesthesia program which is approved by the Council on Accreditation of
310 Nurse Anesthesia Educational Programs;

311 (g) have successfully completed clinical practice in psychiatric and mental health
312 nursing, including psychotherapy as defined by division rule, after completion of the masters
313 degree required for licensure, to practice within the psychiatric and mental health nursing
314 specialty;

315 (h) have passed the examinations as required by division rule made in collaboration
316 with the board;

317 (i) be currently certified by a program approved by the division in collaboration with
318 the board and submit evidence satisfactory to the division of the certification; and

319 (j) meet with the board, if requested, to determine the applicant's qualifications for
320 licensure.

321 [~~(5) An applicant for licensure as a certified registered nurse anesthetist shall:~~]

322 [~~(a) submit to the division an application on a form prescribed by the division;~~]

323 [~~(b) pay to the division a fee determined under Section 63-38-3.2;~~]

324 [~~(c) be in a condition of physical and mental health which will allow the applicant to~~
325 ~~practice safely as a certified registered nurse anesthetist;~~]

326 [~~(d) hold a current registered nurse license in good standing issued by the state or be~~
327 ~~qualified at the time for licensure as a registered nurse;~~]

328 [~~(e) complete a nurse anesthesia program which is approved by the Council on~~
329 ~~Accreditation of Nurse Anesthesia Educational Programs;~~]

330 [~~(f) be currently certified by a program approved by the division in collaboration with~~
331 ~~the board and submit evidence satisfactory to the division of the certification; and]~~

332 [~~(g) meet with the board, if requested, to determine the applicant's qualifications for~~
333 ~~licensure.]~~

334 [~~(6)~~] (5) An applicant for licensure or certification under this chapter:

335 (a) (i) shall submit fingerprint cards in a form acceptable to the division at the time the
336 license application is filed and shall consent to a fingerprint background check by the Utah
337 Bureau of Criminal Identification and the Federal Bureau of Investigation regarding the

338 application; and

339 (ii) the division shall request the Department of Public Safety to complete a Federal
340 Bureau of Investigation criminal background check for each applicant through the national
341 criminal history system (NCIC) or any successor system; and

342 (b) if convicted of one or more felonies, must receive an absolute discharge from the
343 sentences for all felony convictions five or more years prior to the date of filing an application
344 for licensure or certification under this chapter.

345 ~~[(7)]~~ (6) For purposes of conducting the criminal background checks required in
346 Subsection ~~[(6)]~~ (5), the division shall have direct access to criminal background information
347 maintained pursuant to Title 53, Chapter 10, Part 2, Bureau of Criminal Identification.

348 ~~[(8)]~~ (7) (a) (i) Any new nurse license or certification issued under this section shall be
349 conditional, pending completion of the criminal background check.

350 (ii) If the criminal background check discloses the applicant has failed to accurately
351 disclose a criminal history, the license or certification shall be immediately and automatically
352 revoked.

353 (b) (i) Any person whose conditional license (i) or certification has been revoked under
354 Subsection ~~[(8)]~~ (7)(a) shall be entitled to a postrevocation hearing to challenge the revocation.

355 (ii) The hearing shall be conducted in accordance with Title 63, Chapter 46b,
356 Administrative Procedures Act.

357 Section 4. Section **58-31b-305** is amended to read:

358 **58-31b-305. Term of license -- Expiration -- Renewal.**

359 (1) The division shall issue each license or certification under this chapter in
360 accordance with a two-year renewal cycle established by rule. The division may by rule extend
361 or shorten a renewal period by as much as one year to stagger the renewal cycles it administers.

362 (2) At the time of renewal, the licensee or person certified under this chapter shall
363 show satisfactory evidence of each of the following renewal requirements:

364 (a) complete and submit an application for renewal in a form prescribed by the division
365 and pay the renewal fee determined under Section 63-38-3.2; and

366 (b) meet continuing competency requirements as established by rule, which shall
367 include continuing education requirements for medication aide certified established by the
368 board and adopted by the division by rule.

369 (3) In addition to the renewal requirements under Subsection (2), a person licensed as a
 370 advanced practice registered nurse shall be currently certified by a program approved by the
 371 division in collaboration with the board and submit evidence satisfactory to the division of that
 372 qualification or if licensed prior to July 1, 1992, meet the requirements established by rule.

373 ~~[(4) In addition to the renewal requirements under Subsection (2), a person licensed as~~
 374 ~~a certified registered nurse anesthetist shall be currently certified in anesthesia by a program~~
 375 ~~approved by the division in collaboration with the board and submit evidence satisfactory to~~
 376 ~~the division of the certification.]~~

377 [(5)] (4) Each license or certification automatically expires on the expiration date
 378 shown on the license or certification unless renewed in accordance with Section 58-1-308.

379 Section 5. Section **58-31d-103** is amended to read:

380 **58-31d-103. Rulemaking authority -- Enabling provisions.**

381 (1) The division may adopt rules necessary to implement Section 58-31d-102.

382 (2) As used in Article VIII (1) of the Advanced Practice Registered Nurse Compact,
 383 "head of the licensing board" means the executive administrator of the Utah Board of Nursing.

384 (3) For purposes of the Advanced Practice Registered Nurse Compact, "APRN" as
 385 defined in Article II (1) of the compact includes an individual who is:

386 (i) licensed to practice under Subsection 58-31b-301(2) as an advanced practice
 387 registered nurse[-]; or

388 (ii) licensed to practice under Section 58-44a-301 as a certified nurse midwife.

389 (4) An APRN practicing in this state under a multistate licensure privilege may only be
 390 granted prescriptive authority if that individual can document completion of graduate level
 391 course work in the following areas:

392 (a) advanced health assessment;

393 (b) pharmacotherapeutics; and

394 (c) diagnosis and treatment.

395 (5) (a) An APRN practicing in this state under a multistate privilege who seeks to
 396 obtain prescriptive authority must:

397 (i) meet all the requirements of Subsection (4) and this Subsection (5); and

398 (ii) be placed on a registry with the division.

399 (b) To be placed on a registry under Subsection (5)(a)(ii), an APRN must:

- 400 (i) submit a form prescribed by the division;
- 401 (ii) pay a fee; and
- 402 (iii) if prescribing a controlled substance:
 - 403 (A) obtain a controlled substance license as required under Section 58-37-6; and
 - 404 (B) if prescribing a Schedule II or III controlled substance, have a consultation and
 - 405 referral plan with a physician licensed in Utah as required under Subsection
 - 406 58-31b-102(13)(c)(iii) or 58-44a-102(8)(b)(iii)(C).

407 Section 6. Section **58-44a-302** is amended to read:

408 **58-44a-302. Qualifications for licensure.**

409 (1) An applicant for licensure as a nurse midwife shall:

410 [~~(1)~~] (a) submit an application in a form as prescribed by the division;

411 [~~(2)~~] (b) pay a fee as determined by the department under Section 63-38-3.2;

412 [~~(3)~~] (c) be of good moral character;

413 [~~(4)~~] (d) at the time of application for licensure hold a license in good standing as a
414 registered nurse in Utah, or be at that time qualified for a license as a registered nurse under
415 Title 58, Chapter 31b, Nurse Practice Act;

416 [~~(5)~~] (e) have completed:

417 [~~(a)~~] (i) a certified nurse midwifery education program accredited by the American
418 College of Nurse Midwives and approved by the division; or

419 [~~(b) have completed~~] (ii) a nurse midwifery education program located outside of the
420 United States which is approved by the division and is equivalent to a program accredited by
421 the American College of Nurse Midwives, as demonstrated by a graduate's being accepted to
422 sit for the national certifying examination administered by the American College of Nurse
423 Midwives or its designee; and

424 [~~(6)~~] (f) have passed examinations established by the division rule in collaboration with
425 the board within two years after completion of the approved education program required under
426 Subsection [~~(5)~~] (1)(e).

427 (2) For purposes of Subsection (1)(e), as of January 1, 2010, the accredited education
428 program or it's equivalent must grant a graduate degree, including post-master's certificate, in
429 nurse midwifery.

Legislative Review Note
as of 12-21-06 12:54 PM

Office of Legislative Research and General Counsel

S.B. 45 - Nursing Amendments

Fiscal Note

2007 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for businesses or local governments. Nurses already meeting the education requirement will have no fiscal impact. Others may have education expenses to qualify for the Advanced practice registered nurse - CRNA. The bill imposes additional education requirement to the Nurse Midwife Practice Act that begins January 1, 2010.

1/11/2007, 8:03:39 AM, Lead Analyst: Eckersley, S.

Office of the Legislative Fiscal Analyst